IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY,21ST DAY OF FEBRUARY 2007/2ND PHALGUNA 1928

Crl.Rev.Pet.No. 4276 of 2006-D

CC.167/2004 of JUDL.MAGISTRATE OF FIRST CLASS, VADAKARA

REVN. PETITIONER: DEFACTO COMPLAINANT

ABDURAHIMAN, AGED 64 YEARS,
S/O.KOYOOTTY HAJI, PALLIKKATTIL,
CHOROD VILLAGE, VATAKARA TALUK,
KOZHIKODE DISTRICT.

BY ADV. SRI.M.ASOKAN
SRI.DEVAPRASANTH.P.J.

RESPONDENTS: ACCUSED AND STATE

1. P.K.KUNHABDULLA HAJI,
AGED 56 YEARS, S/O.SOOPPY HAJI, THAJ MANZIL,
VALLIKKAD, MUTTUNGAL AMSOM,
RAYARANGOTH DESOM.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

r1 BY ADV. SRI.V.V.SURENDRAN
SRI.P.A.HARISH
BY PUBLIC PROSECUTOR MR. AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO. 4276 of 2006

DATED THIS THE 19TH DAY OF FEBRUARY 2007

ORDER

The revision petitioner is the de facto complainant in C.C.No.167/2004 in the file of the Judicial First Class Magistrate, Vatakara with respect to the offences under Sections 325 and 294(b) I.P.C. The accused was convicted and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.5,000/- for the offence under Section 325 IPC and simple imprisonment for 15 days for the offence under Section 294(b) IPC. The revision petitioner has filed this revision seeking for enhancement of the sentence.

2. At the time of hearing it was represented that the accused has filed Crl.A.No.788/2006 in the file of the Additional Sessions Court, Vatakara. In the circumstances, it is directed that both the matters are to be heard and disposed of by the same court. The revision petitioner herein is directed to file the revision petition before the Additional Sessions Court, Vatakara.

The period of institution and disposal of Crl. R.P.No.4276/2006 shall be excluded with respect to the period of limitation is concerned. The Crl.R.P.is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

ks